

REMARKS

I. Status of Claims.

This application has been reviewed in light of the Office Action dated January 9, 2008. Claims 1-13 and 15-26 are presently pending. Claims 2, 11 and 15 have been cancelled as having duplicitous subject matter of newly amended claims 1, 6 and 12 respectively. The remaining claims have been amended in a manner that is believed to overcome rejections contained in the pending Office Action. No new matter or issues are believed to be introduced by these amendments. Support for the amendments are found throughout the specification, drawings and originally filed claims.

II. Claim Objections.

The Examiner rejected claims 5-12, 1-18 and 20-22 because of claim informalities. Applicant has amended the claims to address these informalities and respectfully request that these objections be withdrawn.

II. Claims 1-3 rejected under 35 USC 103(a).

The Examiner rejected claims 1-3 under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 5,679,257 to Coate et al. (Coate). Applicant respectfully traverses this rejection

A. Examiner's Rejection: The Examiner stated that Coated discloses a method for disinfecting bodies of wastewater that includes controlling the pH level of the aqueous system to a specific value then adding the disinfectant to the system. The Examiner further stated that "[t]he Coates reference recognizes the relationship between the proper pH value and the optimum removal of contaminants in wastewater."

B. Teachings of Reference: Coate teaches a waste water treatment system that can be configured to be portable and which minimizes the addition of solids to be disposed of through the use of ozone for contaminant reduction to basic elements after the pH value of the waste water to be treated is properly adjusted. The patent to Coate, however, teaches a method of contaminate removal without the addition of chemicals other than acid or base to promote flocculation in the waste water. Coate teaches the use of pH adjustment for "contaminate removal without the addition of chemicals other than acid or base for the adjustment," (Coate

Column 6 lines 10-12). The use of pH adjustment for flocculation is emphasized by numerous teachings within the reference including but not limited to “[t]he adjustment of pH of the influent wastewater will typically produce floating flocculation solids and/or foam on the surface of the water.” (Coate, column 8 lines 19-21).

C. Claimed Invention: The instant amended claimed invention discloses a method for improving the effectiveness of a disinfection agent added to a fluid used in the processing of foodstuffs by “controlling the pH level of the fluid to a range between 6 and 8 **prior to or concurrent with the addition of the chemical disinfection agent to the fluid** said controlled pH level causing said chemical disinfection agent to become more efficacious....” (Emphasis added).

D. Deficiencies of Reference: Coate teaches a method of contaminate removal without the addition of chemicals other than acid or base to adjust pH in order to promote flocculation in the waste water. The pH adjust in Coate is for contaminate removal and not for “causing said chemical disinfection agent to become more efficacious.” The use of pH adjustment is clearly for contaminate removal “without the addition of chemicals other than acid or base for the adjustment....” Coate does not suggest optimizing the effectiveness of disinfection by pH adjustment within “a range between 6 and 8” within foodstuff processing by adjustment as the Applicant has disclosed and claimed in amended claim 1 from which claim 3 depends. Applicant respectfully submits that the claims as amended are patentable over the cited reference and requests that this rejection be withdrawn.

III. Claims 4 is rejected under 35 USC 103(a).

The Examiner rejected claim 4 under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 5,679,257 to Coate et al. (Coate), in further view of U.S. Patent No. 5,053,140 to Hurst (Hurst). Applicant respectfully traverses this rejection

A. Examiner’s Rejection: The Examiner stated that Coate fails to disclose a method for disinfecting bodies of wastewater that includes adding chlorine to such water. The Examiner stated, however, it would have been obvious to one skilled in the art to modify Coate by adding chlorine as taught by the Hurst reference.

B. Teachings of References: Coate teaches a waste water treatment system that can be configured to be portable and which minimizes the addition of solids to be disposed of through

the use of ozone for contaminant reduction to basic elements after the pH value of the waste water to be treated is properly adjusted. However, Coate teaches a method of contaminate removal without the addition of chemicals other than acid or base to promote flocculation in the waste water. Hurst teaches a method of treating treated waste water with chlorine. Hurst does not teach controlling pH in a range between 6-8 to increase the effectiveness of a chemical disinfection agent. Neither Hurst or Coate alone or in combination suggest adjusting the pH of wastewater to improve the effectiveness of a disinfectant.

C. Claimed Invention: The instant amended claimed invention discloses a method for improving the effectiveness of a chemical disinfection agent added to a fluid used in the processing of foodstuffs by controlling the pH.

D. Deficiencies of Reference: Coate teaches a method of contaminate removal without the addition of chemicals other than acid or base as a pH adjuster. The pH adjustment in Coate is only to promote flocculation in the waste water and is not related to improving the efficiency of a disinfecting agent. Coate does not suggest optimizing the effectiveness of disinfection by pH adjustment and control as the Applicant has disclosed and claimed. Coate actually teaches away from Applicant's disclosed and claimed invention as follows:

“Chlorine has been traditionally employed for disinfecting water for domestic use and waste water. However, recent reports concerning the carcinogenic effects of chlorinated compounds resulting from chlorine disinfection have stimulated the search for less potentially harmful disinfectants. It has been found that the indiscriminate chlorination of waste waters results in the formation of halogenated compounds which are toxic to aquatic life and potentially toxic to humans. Further, chlorination can satisfy prospective federal water discharge standards only with such high dosages that expensive dechlorination of the treated water is required as a further treatment process step.” (Coate column 1 lines 54-65)

The particular combination of the cited references, which the Examiner makes, in hindsight with the benefit of Applicant's disclosure, in an attempt to arrive at the Applicant's claimed invention, is neither taught nor suggested by either reference. The references, alone or in combination, because of the differences in the features of each as discussed above, do not provide “sufficient impetus” to support the combination that the Examiner makes to effect the obviousness rejection, in fact the references teach away from Applicant's disclosed and amended

claimed invention. In any event, the combination does not arrive at Applicant's amended claimed invention, as neither Hurst nor Coate suggest controlling the pH of wastewater between 6 and 8 to improve the effectiveness of a chemical disinfectant "wherein said foodstuffs is poultry and said disinfection agent is chlorine" as Applicant has disclosed and claimed. Applicant respectfully submits that the claims as amended are patentable over the cited references and requests that this rejection be withdrawn.

IV. Claim 5 is rejected under 35 USC 103(a).

The Examiner rejected claim 5 under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 5,472,619 to Holzhauser et al. (Holzhauer), in further view of U.S. Patent No. 4,827,727 to Caracciolo (Caracciolo). Applicant respectfully traverses this rejection

A. Examiner's rejection. The Examiner stated that Holzhauser teaches a method for disinfecting wastewater generated by meat-packing plants that includes controlling the pH of the wastewater, however, Holzhauser fails to explicitly teach treating the chilling wastewater of a poultry plant. The Examiner further stated that Caracciolo teaches a method for sterilizing poultry with ozonated water in a chiller that includes the following; recovering apportion of the chiller water, filtering organic solids and returning the filtered water to the chiller.

B. Teachings of References: Holzhauser teaches a process for the separation and purification of fat-containing wastewater by adding an effective flocculating and oxidizing amount of a specific composition. Flocculation is carried out using commercially available products which adjust the pH to about 8. Caracciolo teaches the sterilization of chiller water by the introduction of ozone.

C. Claimed Invention: The instant amended claimed invention discloses a method for improving the effectiveness of a disinfection agent added to a fluid used in the processing of foodstuffs by "controlling the pH level of the fluid said controlled pH level between about 6.5 to 7 causing a chemical disinfection agent to become more efficacious...."

D. Deficiencies of Reference: Holzhauser teaches a process for the separation and purification of fat-containing wastewater by adding an effective flocculating and oxidizing amount of a specific composition. Flocculation is carried out using commercially available product which adjust the pH to about 8. Caracciolo teaches the sterilization of chiller water by the introduction of ozone. The particular combination of the cited references, which the

Examiner makes, in hindsight with the benefit of Applicant's disclosure, in an attempt to arrive at the Applicant's invention, is neither taught nor suggested by either reference. Neither Holzhauer or Caracciolo alone or in combination suggest adjusting the pH of wastewater to optimize the effectiveness of a chemical disinfectant by controlling the pH level of the fluid said controlled pH level between about 6.5 to 7 causing a chemical disinfection agent to become more efficacious," as Applicant has disclosed and claimed. Applicant respectfully submits that the claims as amended are patentable over the cited references and requests that this rejection be withdrawn.

V. Claims 6-10 are rejected under 35 USC 103(a).

The Examiner rejected claims 6-10 under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 5,472,619 to Holzhauer et al. (Holzhauer), in further view of U.S. Patent No. 5,053,140 to Hurst (Hurst). Applicant respectfully traverses this rejection

A. Examiner's rejection. The Examiner stated that Holzhauer teaches a method for disinfecting wastewater generated by meat-packing plants that includes controlling the pH of the wastewater, however, Holzhauer fails to explicitly teach treating the chilling wastewater of a poultry plant. The Examiner further stated that Hurst teaches a method for disinfecting chilling water in a poultry plant and that it would have been obvious to one having ordinary skill in the art to modify the Holzhauer reference to disinfect all wastewaters.

B. Teachings of References: Holzhauer teaches a process for the separation and purification of fat-containing wastewater by adding an effective flocculating and oxidizing amount of a specific composition. Holzhauer is concerned with adjusting the pH to promote flocculation and not to optimize a disinfectant. This is borne out by Holzhauer as follows:

"While not wishing to be bound by any theory of operation it appears, at the present time, that the various ingredients in the peracetic acid compositions of the present invention have a number of functions. The acetic acid component assists flocculation. The peracetic acid is a flocculent and appears to be the primary oxidizer. Hydrogen peroxide is also a flocculent and oxidizer. The phosphonic acid derivative is a stabilizer that prevents decomposition, i.e., "offgassing," due to trace catalytic metal ion contamination, e.g., copper and iron. In addition, acetic acid and hydrogen peroxide are ingredients for the preparation and equilibrium concentration of peracetic acid. The phosphoric acid is

a catalytic acid for the formation of peracetic acid; it also assists in corrosion control.” (Holzhauer, Column 4 lines 51-64)

Flocculation is carried out using commercially available product which adjust the pH to about 8. Hurst teaches a method of treating treated waste water with chlorine. Neither Holzhauer or Hurst alone or in combination suggest adjusting and controlling the pH between a range of 6 and 8 to improve the effectiveness of a disinfectant, as Applicant has disclosed and claimed.

C. Claimed Invention: The instant amended claimed invention discloses a method for improving the effectiveness of a chemical disinfection agent added to an aqueous medium used in the processing of foodstuffs by controlling the pH level of said disinfected processing fluid between a range of 6 and 8 said controlled pH level optimizing said chemical disinfectant....”

D. Deficiencies of Reference: Holzhauer teaches a process for the separation and purification of fat-containing wastewater by adding an effective flocculating and oxidizing amount of a specific composition. Flocculation is carried out using commercially available product which adjust the pH to about 8. Holzhauer does not teach adjusting or controlling the pH between 6 and 8 of a process fluid to increase the effectiveness of a chemical disinfectant. Hurst teaches a method of treating treated waste water with chlorine. The particular combination of the cited references, which the Examiner makes, in hindsight with the benefit of Applicant’s disclosure, in an attempt to arrive at the Applicant’s invention, is neither taught nor suggested by either reference. Neither Holzhauer or Hurst alone or in combination suggest “controlling the pH level of said disinfected processing fluid between a range of 6 and 8 said controlled pH level optimizing said chemical disinfectant; as Applicant has disclosed and claimed. Applicant respectfully submits that the claims as amended are patentable over the cited references and requests that this rejection be withdrawn.

VI. Claim 11 is rejected under 35 USC 103(a).

The Examiner rejected claim 11 under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 5,472,619 to Holzhauer et al. (Holzhauer), in further view of U.S. Patent No. 5,053,140 to Hurst (Hurst) and in further view of Coate. Applicant has cancelled claim 11 as having duplicative subject matter of newly amended claim 6 and not for reasons of prior art and submits that this rejection is moot.

VII. Claims 12 and 15 are rejected under 35 USC 103(a).

The Examiner rejected claims 12 and 15 under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 4,827,727 to Caracciolo (Caracciolo) and in view of U.S. Patent No. 5,679,257 to Coate (Coate). Applicant has cancelled claim 15 as having duplicitous subject matter of newly amended claim 12 and not for reasons of prior art. Applicant respectfully traverses the rejection of claim 12.

A. Examiner's rejection. The Examiner stated that Caracciolo teaches adding a disinfectant to the chiller water, but fails to teach controlling the pH level. The Examiner further stated that Coate teaches a method for disinfecting bodies of wastewater by ozone that includes controlling the pH level of the aqueous systems to a specific value and that Coate teaches that adjusting pH results in generating solids. The Examiner stated that based upon these combined teachings, it would have been obvious to modify the method of Caracciolo by choosing a pH adjustment step as taught by Coate since when pH is maintained within a certain range, optimum removal of contaminants in fluids is accomplished as taught by the Coate reference.

B. Teachings of References: Caracciolo teaches the sterilization of chiller water by the introduction of ozone. Coate teaches a method of contaminate removal without the addition of chemicals and controlling the pH. However, Applicant respectfully submits that Examiner has misconstrued Coate as it adjusts the pH as a means for particle contaminate removal and not as a means for improving the efficiency of a disinfectant. Coate specifically teaches a method that is chemical free other than an acid or base. Caracciolo, or Coate alone or in combination do not suggest adding a disinfectant to the chiller water; controlling the pH level of the chiller water; and monitoring and regulating said steps of adding a disinfectant and controlling the pH level of the chiller water.

C. Claimed Invention: The instant amended claimed invention discloses a method for treatment of chiller water by adding a disinfectant to the chiller water used in the chilling process with a controlled pH level of "between 6 and 8" and regulating said steps of adding a disinfectant and controlling the pH level of the chiller water.

D. Deficiencies of Reference: Caracciolo teaches the sterilization of chiller water by the introduction of ozone. Coate teaches a method of contaminate removal without the addition of chemicals and adjusting the pH to a value of 6 to promote flocculation. Caracciolo, or Coate alone or in combination do not suggest treatment of chiller water by "controlling the pH level

between 6 and 8 of the chiller water; and monitoring and regulating said steps of adding a disinfectant and controlling the pH level of the chiller water; filtering organic solids from said recovered water, wherein at least a portion of said solids are the result of precipitation of soluble material through pH adjustment of said chiller water; and returning said filtered water to said chilling process, whereby reduction of the organic solids from the chiller water reduces the level of poultry contamination,” as Applicant has disclosed and claimed. Applicant respectfully submits that the claims as amended are patentable over the cited references and requests that this rejection be withdrawn.

VIII. Claim 13 is rejected under 35 USC 103(a).

The Examiner rejected claim 13 under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 4,827,727 to Caracciolo (Caracciolo), in view of Coate as applied to claim 12 and in further view of U.S. Patent No. 5,514,282 to Hibbard et al. (Hibbard). Applicant respectfully traverses this rejection

A. Examiner’s rejection. The Examiner stated Caracciolo teaches a method for sterilizing poultry with ozonated water in a chiller that includes the following; recovering apportion of the chiller water, filtering organic solids and returning the filtered water to the chiller. Caracciolo and Coate, however, fail to teach floating the recovered water in a floatation unit. The Examiner further stated that the Hibbard reference teaches the use of a floatation unit and it would have been obvious to one having ordinary skill in the art to modify the method of the Caracciolo reference by including a floatation unit as taught by the Hibbard reference.

B. Teachings of References. Caracciolo teaches the sterilization of chiller water by the introduction of ozone. Hibbard teaches a method directed to the recovery of a potentially valuable feed value or fertilizer by-product with the concomitant production of an environmentally safe discharge or reuse quality water form food plant process wastewater streams.

C. Claimed Invention: The instant amended claimed invention discloses a method for controlling the pH level between 6 and 8 of the chiller water; and monitoring and regulating said steps of adding a disinfectant and controlling the pH level of the chiller water; filtering organic solids from said recovered water, wherein at least a portion of said solids are the result of precipitation of soluble material through pH adjustment of said chiller water...”

D. Deficiencies of Reference: Caracciolo teaches the sterilization of chiller water by the introduction of ozone. Hibbard teaches a method directed to the recovery of a potentially valuable feed value or fertilizer by-product with the concomitant production of an environmentally safe discharge or reuse quality water from food plant process wastewater streams. Neither Caracciolo, Coate or Hibbard alone or in combination suggest the instant amended claimed invention of “controlling the pH level between 6 and 8 of the chiller water; and monitoring and regulating said steps of adding a disinfectant and controlling the pH level of the chiller water; filtering organic solids from said recovered water, wherein at least a portion of said solids are the result of precipitation of soluble material through pH adjustment of said chiller water...” as Applicant has disclosed and claimed in amended claim 12 from which claim 13 depends. Applicant respectfully submits that the claims as amended are patentable over the cited references and requests that this rejection be withdrawn.

IX. Claims 16-17, 21 and 26 are rejected under 35 USC 103(a).

The Examiner rejected claims 16-17, 21 and 26 under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 5,472,619 to Holzhauer et al. (Holzhauer), in further view of U.S. Patent No. 5,472,619 to Mostoller (Mostoller). Applicant respectfully traverses this rejection

A. Examiner's rejection. The Examiner stated that Holzhauer teaches a method for disinfecting wastewater generated by meat-packing plants that includes controlling the pH of the wastewater, however the Holzhauer reference fails to explicitly teach treating the chilling wastewater of a poultry plant. The Examiner further stated that Mostoller teaches that the steps of slaughtering, scalding, defeathering, eviscerating and the like and that these steps are known in the art of processing chicken. The Examiner further stated that it would have been obvious to one having ordinary skill in the art to modify the Holzhauer reference to disinfect all wastewaters generated at various processing steps in a poultry plant.

B. Teachings of References: Holzhauer teaches a process for the separation and purification of fat-containing wastewater by adding an effective flocculating and oxidizing amount of a specific composition. Flocculation is carried out using commercially available product which adjust the pH to about 8. Holzhauer is concerned with adjusting the pH to promote flocculation and not to optimize a disinfectant and does not disclose controlling the pH

to improve the efficiency of a disinfectant. Mostoller teaches an apparatus having a plurality of spray nozzles to spray the exterior surface of a bird with cleaning fluid.

C. Claimed Invention: The instant amended claimed invention discloses a method for reducing the level of poultry contamination resulting from the processing of poultry, wherein the processing of said poultry by recovering water used during at least one of said poultry processing steps; treating said recovered water with a disinfectant and controlling pH of said recovered water between 6 and 8; and reintroducing said treated water into at least one heated processing step which uses heated fluid water, whereby the combination of said treated water fluid and said heated fluid water reduces the level of microorganisms within said poultry.”

D. Deficiencies of Reference: Holzhauer teaches a process for the separation and purification of fat-containing wastewater by adding an effective flocculating and oxidizing amount of a specific composition. Flocculation is carried out using commercially available product which adjust the pH to about 8. Holzhauer does not disclose or suggest controlling the pH “between 6 and 8” to improve the efficiency of a disinfectant. Mostoller teaches an apparatus having a plurality of spray nozzles to spray the exterior surface of a bird with cleaning fluid. The cited references, alone or in combination, because of the differences in the features of each as discuss above, do not provide “sufficient impetus” to support the combination that the Examiner makes to effect the obviousness rejection. In any event the combination of the two cited references do not arrive at a process of recovering water used during at least one of said poultry processing steps; treating said recovered water with a disinfectant and controlling pH of said recovered water between 6 and 8; and reintroducing said treated water into at least one heated processing step which uses heated water, whereby the combination of said treated water and said heated water reduces the level of microorganisms within said poultry” as Applicant has disclosed and claimed in amended claims 16 and 21 from which the other rejected claims depend. Applicant respectfully submits that the claims as amended are patentable over the cited references and requests that this rejection be withdrawn.

X. Claims 18-20 are rejected under 35 USC 103(a).

The Examiner rejected claims 18-20 under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 5,472,619 to Holzhauer et al. (Holzhauer), in further view of U.S. Patent No.

5,472,619 to Mostoller (Mostoller) and in further view of U.S. Patent No. 5,053,140 to Hurst (Hurst). Applicant respectfully traverses this rejection.

A. Examiner's rejection. The Examiner stated that Holzhauer teaches a method for disinfecting wastewater generated by meat-packing plants that includes controlling the pH of the wastewater, however Holzhauer and Mostoller fail to teach the use of ozone and chlorine in treating recovered water in a poultry processing plant. Hurst, however, teaches injecting ozone and chlorine into recovered water from the chiller and that it would have been obvious to one having ordinary skill in the art to modify the Holzhauer reference by additionally including ozone and chlorine since ozone oxidizes oxidizable material in the wastewater and kills microorganisms as in Hurst and chlorine provides a furthering assuring disinfecting step in case the wastewater is heavily contaminated.

B. Teachings of References: Holzhauer teaches a process for the separation and purification of fat-containing wastewater by adding an effective flocculating and oxidizing amount of a specific composition. Flocculation is carried out using commercially available product which adjust the pH to about 8. Holzhauer does not teach or disclose controlling the pH in order to improve the efficiency of a disinfectant. Mostoller teaches an apparatus having a plurality of spray nozzles to spray the exterior surface of a bird with cleaning fluid. . Hurst teaches a method of treating treated wastewater with chlorine.

C. Claimed Invention: The instant amended claimed invention discloses a method for reducing the level of poultry contamination resulting from the processing of poultry, "recovering water used during at least one of said poultry processing steps; treating said recovered water with a disinfectant and controlling pH of said recovered water between 6 and 8; and reintroducing said treated water into at least one heated processing step which uses heated fluid water, whereby the combination of said treated water fluid and said heated fluid water reduces the level of microorganisms within said poultry."

D. Deficiencies of Reference: Holzhauer teaches a process for the separation and purification of fat-containing wastewater by adding an effective flocculating and oxidizing amount of a specific composition. Flocculation is carried out using commercially available product which adjust the pH to about 8. Holzhauer does not teach controlling the pH to improve the efficiency of a disinfectant nor does it teach heating of the treated water. Mostoller teaches an apparatus having a plurality of spray nozzles to spray the exterior surface of a bird with

cleaning fluid. The cited references do not arrive at Applicant's claimed invention either alone or in any combination. Holzhauer, Mostoller or Hurst alone or in combination do not suggest "recovering water used during at least one of said poultry processing steps; treating said recovered water with a disinfectant and controlling pH of said recovered water between 6 and 8; and reintroducing said treated water into at least one heated processing step which uses heated water, whereby the combination of said treated water and said heated water reduces the level of microorganisms within said poultry" as Applicant has disclosed and claimed in amended claim 16 from which all rejected claims depend. Applicant respectfully submits that the claims as amended are patentable over the cited references and requests that this rejection be withdrawn.

XI. Claims 22-25 are rejected under 35 USC 103(a).

The Examiner rejected claim 22-25 under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent No. 4,827,727 to Caracciolo (Caracciolo) in further view of U. S. Patent No. 5,472,619 to Holzhauer et al. (Holzhauer). Applicant respectfully traverses this rejection.

A. Examiner's rejection. The Examiner stated that Caracciolo teaches a method for sterilizing poultry with ozonated water in a chiller that includes the following; recovering apportion of the chiller water, filtering organic solids and returning the filtered water to the chiller. However, as the Examiner has acknowledged, Caracciolo fails to teach controlling the pH of the disinfected filtered water. The Examiner further stated that Holzhauer teaches a method for disinfecting wastewater generated by meat-packing plants that includes controlling the pH of the wastewater.

B. Teachings of References: Caracciolo teaches the sterilization of chiller water by the introduction of ozone. Holzhauer teaches a process for the separation and purification of fat-containing wastewater by adding an effective flocculating and oxidizing amount of a specific composition. Flocculation is carried out using commercially available product which adjust the pH to about 8.

C. Claimed Invention: The instant claimed invention discloses a method for improving the effectiveness of a disinfection agent added to an aqueous medium used in the processing of foodstuffs. In particular, Applicant's amended claimed invention provides "removing filterable organics from said recovered water; reacting said filtered recovered water with a disinfectant and

controlling pH of said disinfected filtered water between 6 and 8; and reintroducing said disinfected filtered water into chiller tank.”

D. Deficiencies of Reference: Caracciolo teaches the sterilization of chiller water by the introduction of ozone. Holzhauer teaches a process for the separation and purification of fat-containing wastewater by adding an effective flocculating and oxidizing amount of a specific composition. Flocculation is carried out using commercially available product which adjust the pH to about 8. Neither Holzhauer or Caracciolo alone or in combination suggest “recovering water used during said poultry processing chilling step; removing filterable organics from said recovered water; reacting said filtered recovered water with a disinfectant and controlling pH of said disinfected filtered water between 6 and 8; and reintroducing said disinfected filtered water into chiller tank,” as Applicant has disclosed and claimed in amended claim 22 from which all rejected claims depend. Applicant respectfully submits that the claims as amended are patentable over the cited references and requests that this rejection be withdrawn.

CONCLUSION

For at least the reasons set forth above, reconsideration and allowance of this application are believed to be in order, and such action is hereby solicited. If any points remain an issue which the Examiner feels may be best resolved through a telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below. The Examiner is invited and encouraged to telephone the undersigned with any concerns in furtherance of the prosecution of the present application. Please charge any deficiency as well as any other fee(s) which may become due at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 50-2896.

Respectfully submitted,

July 9, 2008

Dated

/John C. Serio/

John C. Serio (Reg. No. 39,023)

Customer No. 71130

Attorney for Applicant(s)

SEYFARTH SHAW LLP

World Trade Center East

Two Seaport Lane, Suite 300

Boston, MA 02210

Tel: 617-946-4831

Fax: 617 946-4801

E-mail: bosippto@seyfarth.com